IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 8TH JANUARY 2007 / 18TH PAUSHA 1928

WP(C).No. 35150 of 2005(H)

PETITIONER:

CHANDRAN, S/O. VELANDI,
VEZHEKKADAN HOUSE, ANANDAPURAM VILLAGE, THRISSUR.

BY ADV. SMT.S.MUMTAZ

RESPONDENTS:
----

1. **THE ASSISTANT REGISTRAR (GENERAL),**
   OFFICE OF THE ASST.REGISTRAR OF CO-OPERATIVE SOCIETIES, THRISSUR.

2. **MURIYADU SERVICE CO-OPERATIVE BANK,**
   REPRESENTED BY ITS SECRETARY, THRISSUR.

3. **SALE OFFICER,**
   MURIYADU SERVICE CO-OPERATIVE BANK,
   OFFICE OF THE ASST.REGISTRAR OF CO-OP. SOCIETIES (GENERAL), THRISSUR.

4. **STATE OF KERALA,**
   REP. BY THE SECRETARY, DEPARTMENT OF CO-OPERATIVE SOCIETIES, SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SMT.SMITHA SUKUMARAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.35150/2005

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE SALE NOTICE ISSUED BY THE 3RD RESPONDENT DT.2.11.05.

EXT.P2:- COPY OF THE REPRESENTATION DT.11.11.2005 SUBMITTED BY THE PETITIONER TO THE 1ST RESPONDENT.

/TRUE COPY/

tss

K.BALAKRISHNAN NAIR, J.

W.P.(C) NO. 35150 2005 - H

JUDGMENT

The petitioner challenges Ext.P1 notice issued by the Sale Officer to execute the award of the arbitrator in ARC No.2094/2001. In the absence of any challenge against the award of the arbitrator, the challenge against the execution notice is not maintainable. Accordingly, the Writ Petition is dismissed.

8th January, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/